

IN THE MATTER OF THE  
THE APPLICATION OF  
ROGER BRENT BROWN  
FOR A SPECIAL HEARING AND  
VARIANCES ON PROPERTY LOCATED  
ON THE NORTH SIDE SHEPHERD  
ROAD, 676' W OF GERTING ROAD  
(2800 SHEPHERD ROAD)  
10TH ELECTION DISTRICT  
3RD COUNCILMANIC DISTRICT

\* BEFORE THE  
\* COUNTY BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. 92-202-SPHA  
\* \* \* \* \*

#### O P I N I O N

This case comes before this Board on appeal from a restriction imposed by the Deputy Zoning Commissioner forbidding the Petitioner to store any recreational vehicles (motor homes) other than his own personal motor home on the subject property.

Petitioner testified that it was not his intention to store motor homes for lease or sale on his property. He further testified that his business, renting/selling motor homes, was conducted solely from his site on Weisburg and Big Falls Road. However, he took strong exception to the wording of the restriction which did not permit guests to park their motor homes on the subject site while visiting his property. Testimony from protesting neighbors indicated their fear that, if these visitors' motor homes were allowed to stay on the premises, Mr. Brown would somehow attempt to continue his rental business from this site.

The matter before the Board is basically an interpretation of what would constitute storage of a motor home on-site. Section 415.A of the Baltimore County Zoning Regulations (BCZR) states:

Contrary provisions of these regulations notwithstanding, one recreational vehicle may be stored on a residential lot as set forth below. Such vehicle, except a truck camper, shall have a current license, may not be lived in, or otherwise occupied, when stored on a lot and shall be mechanically ready to be moved at any time. The space occupied by such a vehicle may be counted as a required parking space.

Under this regulation, Mr. Brown is allowed to store permanently

Case No. 92-202-SPHA Roger Brent Brown

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one such motor home. The Board is of the opinion that interpretation of this statute does not encompass occasional visitors for non-business reasons of owner-occupied motor homes as guests of the property owner. The Board will therefore amend the Deputy Zoning Commissioner's restrictions to permit the occasional and limited use of the Petitioner's property to receive guests in owner-occupied recreational vehicles, and will so order.

#### O R D E R

IT IS THEREFORE this 21st day of July, 1992 by the County Board of Appeals of Baltimore County ORDERED that Restriction #2 imposed by the Deputy Zoning Commissioner in his Opinion and Order of December 20, 1991 be and is hereby VACATED. The following restrictions are hereby imposed on the Petitioner:

1. All other restrictions and rulings in the above-captioned decision by the Deputy Zoning Commissioner shall stand.
2. Petitioner shall not allow or cause any recreational vehicles (motor homes) in which Petitioner has any ownership interest either directly or indirectly other than his own personal motor home to be stored on the subject property. However, Petitioner may allow such other motor homes to remain on his property for a period of time not to exceed 48 hours for each such vehicle. Any such visiting motor home shall be currently tagged, licensed and registered, and mechanically ready to be moved at any time, and shall be owner-occupied.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

*William T. Hackett*  
William T. Hackett, Chairman

*William Clark*  
C. William Clark

*S. Diane Levero*  
S. Diane Levero

IN RE: PETITIONS FOR SPECIAL HEARING  
AND ZONING VARIANCE -N/S of  
Shepherd Road, 676' W of  
Gertine Road  
(2800 Shepherd Road)  
10th Election District  
3rd Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-202-SPHA  
\* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to determine whether those activities conducted on the subject property are acceptable as a home occupation, and variances from Section 415.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit five (5) recreational vehicles on the subject property in lieu of the one (1) permitted; from Section 400.1 of the B.C.Z.R. to permit an existing accessory structure (swimming pool) to be located in the front yard in lieu of the required rear yard, all as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Roger B. Brown, appeared, testified and was represented by Robert W. Stange, Esquire. Appearing as Protestants in the matter were Philip Spector, adjoining property owner, and numerous other residents in the area. Leonard Wasilewski appeared and testified on behalf of the Zoning Enforcement Division of the Office of Zoning Administration and Development Management.

Testimony indicated that the subject property, known as 2800 Shepherd Road, consists of 17.00 acres more or less, zoned R.C. 2 and is improved with a dwelling and swimming pool. As a result of a zoning complaint filed with this Office, Petitioner was advised to file the instant petition to legalize the existing swimming pool, which is located in the front yard of the subject property, and to obtain approval for storing

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Date 10/14/91  
By [Signature]

five (5) recreational vehicles on his property. Petitioner testified that he is in the motor home business and prior to the complaint, stored five such motor homes on his property. He indicated that since the filing of the complaint, he has relocated the business to 1450 Weisburg Avenue in Whitehall and pays \$325 per month to store the recreational vehicles at that location. Mr. Brown testified, however, that while he no longer wishes to store motor homes used in his business at his personal residence, he would like the ability to allow friends from out of town to park their motor homes on his property when they come to visit.

Petitioner also requested a special hearing to determine whether the activities conducted on his property are acceptable as a home occupation. There was limited testimony offered pursuant to this request. Petitioner indicated that the motor home business has been relocated to the Weisburg Avenue address. He also stated that he does receive many business phone calls at his residence. Merely receiving phone calls at home for business purposes in and of itself would not be a violation of the B.C.Z.R. There being no other testimony as to any type of home occupation on the subject property, the Petitioner's request for a Special Hearing shall be dismissed.

Appearing and testifying in opposition to the relief requested were Phil Spector, adjoining property owner, and Leonard Wasilewski, Zoning Inspector. The Protestants testified that when the Petitioner operated the motor home rental business from his residence, there would be problems with people who were renting the motor homes not having the experience of driving a motor home. These renters would cause traffic problems along the residential streets in the area. There was testimony that the neighbors would sometimes be run off the road by a person who had just rented a

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Date 10/14/91  
By [Signature]

- 2 -

motor home. The Protestants also testified that in the event the Petitioner's request for variances was granted to increase the number of recreational vehicles stored on his property, there would be no way of telling whether the motor homes being stored were for commercial or residential purposes. With this argument I must agree. Therefore, the Petitioner's request to store five (5) recreational vehicles on his property in lieu of the one (1) permitted shall be denied. However, it is noted that the Petitioner may store one recreational vehicle for private use on his property as a matter of right.

As to the requested variance for the swimming pool, the Protestants indicated they were not opposed to the granting of this relief. They testified that the house and swimming pool are very attractive and they have no objections to the swimming pool being located in the front yard. Therefore, the Petitioner's request for a variance as to the location of the swimming pool shall be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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Date 10/14/91  
By [Signature]

- 3 -

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance for the swimming pool is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the Petition for Special Hearing shall be dismissed and the Petition for Zoning Variance granted in part and denied in part.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of December, 1991 that the Petition for Special Hearing to determine whether those activities conducted on the subject property are acceptable as a home occupation, be and is hereby DISMISSED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 415.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit five (5) recreational vehicles on the subject property in lieu of the one (1) permitted, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 400.1 of the B.C.Z.R. to permit an existing accessory structure (swimming pool) to be located in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

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Date 10/14/91  
By [Signature]

- 4 -

- 2) Petitioner shall not allow or cause any recreational vehicles (motor homes) other than his own personal motor home to be stored on the subject property.
- 3) The Petitioner shall permit a representative of the Office of Zoning Enforcement to come upon his property to make an inspection regarding the storage of motor homes.
- 4) The Petitioner has thirty (30) days from the date of this Order to take an appeal of this decision. In the event that the Petitioner does not appeal this decision, then by virtue of no appeal being taken, the Petitioner hereby consents and agrees to be bound by the restrictions stated above.

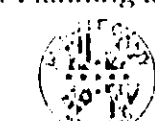
TMK:bjs

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 10/14/91  
By [Signature]

- 5 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

December 20, 1991

Robert W. Stange, Esquire  
220 Bosley Avenue  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE  
N/S Shepherd Road, 676' W of Gertine Road  
(2800 Shepherd Road)  
10th Election District - 3rd Councilmanic District  
Roger B. Brown - Petitioner  
Case No. 92-202-SPHA

Dear Mr. Stange:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been dismissed and the Petition for Zoning Variance has been granted in part and denied in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Philip Spector  
2808 Shepherd Road, Monkton, Md. 21111  
Mr. Joseph Koortz(sp.?)  
2900 Shepherd Road, Monkton, Md. 21111  
Mr. Dan Mari  
2820 Shepherd Road, Monkton, Md. 21111

People's Counsel  
*File*





COPY

NOTICE OF HEARING

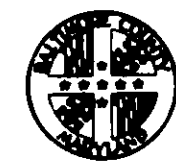
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-202-SPHA  
N/S Sheppard Road, 676' W of N/S Gertine Road  
2800 Sheppard Road  
10th Election District - 3rd Councilmanic  
Petitioner(s): Roger Brent Brown  
HEARING: TUESDAY, DECEMBER 10, 1991 at 2:00 p.m.

Special Hearing to determine whether those activities conducted are acceptable as a home occupation.  
Variance to allow 5 recreational vehicles in lieu of the required 1 in the rear yard only; and to allow accessory to structure (swimming pool) in front yard in lieu of the required rear yard.

Zoning Commissioner of  
Baltimore County

cc: Roger Brent Brown  
Barbara M. Porter



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

July 21, 1992

Mr. Roger Brown  
2800 Sheppard Road  
Monkton, MD 21111

RE: Case No. 92-202-SPHA  
Roger Brent Brown

Dear Mr. Brown:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

*Kathleen C. Weidenhammer*  
Kathleen C. Weidenhammer  
Administrative Assistant

encl.

cc: Mr. Philip Spector  
Mr. Joseph Kro-Art  
Mr. Dan Mari  
Mr. Ralph D. Rigger  
Mr. Pete Hofmeister  
Mr. Wallace E. Dow  
Mr. & Mrs. Frederick Hearn  
Mr. Eric W. Snyder  
People's Counsel for Baltimore County  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of  
Zoning Administration

RECEIVED  
JUL 22 1992

ZONING OFFICE

92-202-SPHA

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: November 27, 1991

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: November 12, 1991

This office has no comments for item numbers 210, 212, 213, 214, 217 and 218.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

92-202-SPHA

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21204-5500

(301) 887-4500

NOVEMBER 26, 1991

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: ROGER BRENT BROWN

Location: 2800 SHEPPARD ROAD

Item No.: 213 Zoning Agenda: NOVEMBER 12, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: *L.S. Rigg* Noted and  
Planning Group Approved  
Special Inspection Division Fire Prevention Bureau

JP/KEK

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

RE: Petition for Special Hearing and Zoning Variance\*  
(\*VARIANCE PORTION APPEALED ONLY)  
N/S of Sheppard Road, 676' W of Gertine Road  
(2800 Sheppard Road)  
10th Election District, 3rd Councilmanic District  
ROGER BRENT BROWN - Petitioner  
Case No. 92-202-SPHA

Dear Board:

Please be advised that an appeal of Variance portion of the above-referenced case was filed in this office on January 16, 1992 by Roger Brown, Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

*Philip Spector*  
Philip Spector  
Zoning Commissioner

LES:cer

cc: Roger Brown - 2800 Sheppard Road, Monkton, MD 21111  
Philip Spector - 2808 Sheppard Road, Monkton, MD 21111  
Joseph Kro-Art - 2900 Sheppard Road, Monkton, MD 21111  
Dan Mari - 2820 Sheppard Road, Monkton, MD 21111  
Wallace E. Dow - 2936 Sheppard Road, Monkton, MD 21111  
Mr. & Mrs. Frederick Hearn - 17000 Gerting Road, Monkton, MD 21111  
Eric W. Snyder - 2500 Sheppard Road, Monkton, MD 21111  
People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

APPEAL

Petition for Special Hearing and Zoning Variance\*  
(\*VARIANCE PORTION APPEALED ONLY)  
N/S of Sheppard Road, 676' W of Gertine Road  
(2800 Sheppard Road)  
10th Election District - 3rd Councilmanic District  
ROGER BRENT BROWN - Petitioner  
Case No. 92-202-SPHA

Petition(s) for Special Hearing and Zoning Variance\*  
(\*VARIANCE PORTION APPEALED ONLY)

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (None submitted)

Violation Notice memo

Protestant's Sign-in Sheet

Consumer Protection Division list of Complainants

Exhibit: Summary of Case

Petitioner's Exhibits: 1. Aerial Photograph of lot

2. Plat to accompany petition

Deputy Zoning Commissioner's Order dated December 20, 1991 (Granted with restrictions)

Notice of Appeal received January 16, 1992 from Roger Brown, Petitioner

cc: Roger Brown - 2800 Sheppard Road, Monkton, MD 21111

Philip Spector - 2808 Sheppard Road, Monkton, MD 21111

Joseph Kro-Art - 2900 Sheppard Road, Monkton, MD 21111

Dan Mari - 2820 Sheppard Road, Monkton, MD 21111

Wallace E. Dow - 2936 Sheppard Road, Monkton, MD 21111

Mr. & Mrs. Frederick Hearn - 17000 Gerting Road, Monkton, MD 21111

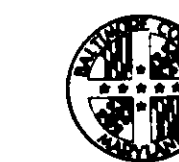
Eric W. Snyder - 2500 Sheppard Road, Monkton, MD 21111

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning  
Patrick Keller, Office of Planning & Zoning  
Lawrence E. Schmidt, Zoning Commissioner  
Timothy M. Kotroco, Deputy Zoning Commissioner  
W. Carl Richards, Jr., Zoning Coordinator  
Docket Clerk  
Arnold Jablon, Director of Zoning Administration  
and Development Management

3/12/92 - Following parties notified of hearing set for July 9, 1992 at 10:00 a.m.:

Mr. Roger Brown  
Mr. Philip Spector  
Mr. Joseph Kro-Art  
Mr. Dan Mari  
Mr. Wallace E. Dow  
Mr. and Mrs. Frederick Hearn  
Mr. Eric W. Snyder  
People's Counsel for Baltimore County  
P. David Fields  
Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue March 12, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-202-SPHA  
ROGER BRENT BROWN  
N/S of Sheppard Rd., 676' W of  
Gertine Rd. (2800 Sheppard Rd.)  
10th Election District;  
3rd Councilmanic District

SPH-home occupation;  
VAR-5 recreational vehicles in lieu  
of 1, accessory structure (pool) in  
front yard in lieu of rear yard.

12/20/91 - D.Z.C.'s Order GRANTING  
Petitions with restrictions.

ASSIGNED FOR: THURSDAY, JULY 9, 1992 AT 10:00 a.m.

cc: Mr. Roger Brown Petitioner/Appellant

Mr. Philip Spector  
Mr. Joseph Kro-Art  
Mr. Dan Mari  
Mr. Wallace E. Dow  
Mr. and Mrs. Frederick Hearn  
Mr. Eric W. Snyder  
People's Counsel for Baltimore County  
P. David Fields  
Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning Administration  
Linda Lee M. Kuszmaul  
Legal Secretary

RE: PETITION FOR SPECIAL HEARING : BEFORE THE COUNTY BOARD OF APPEALS  
AND ZONING VARIANCE : OF BALTIMORE COUNTY  
N/S of Sheppard Road, 676' :  
W of Gertine Rd. (2800 Sheppard :  
Rd.), 10th Election District, :  
3rd Councilmanic District :  
Zoning Case No. 92-202-SPHA  
ROGER BRENT BROWN, Petitioner :  
: : : : :  
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County  
Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-2188

I HEREBY CERTIFY that on this 20th day of March, 1992, a copy of the foregoing Entry of Appearance was mailed to Roger B. Brown, 2800 Sheppard Road, Monkton, MD 21111, Petitioner/Appellant; Philip Spector, 2808 Sheppard Road, Monkton, MD 21111, Protestant; Joseph Kro-Art, 2900 Sheppard Road, Monkton, MD 21111; Dan Mari, 2820 Sheppard Road, Monkton, MD 21111; Wallace E. Dow, 2936 Sheppard Road, Monkton, MD 21111; Mr. & Mrs. Frederick Hearn, 17000 Gerting Road, Monkton, MD 21111; Eric W. Snyder, 2500 Sheppard

RE: ROGER BRENT BROWN, Petitioner  
#92-202-SPHA  
- 2 -

Road, Monkton, MD 21111; and Leonard Wasilewski, Zoning Inspector, Zoning Enforcement Division, Office of Zoning Administration & Development Management, County Office Building, Towson, MD 21204.

Phyllis Cole Friedman  
Phyllis Cole Friedman

# ZONING ENFORCEMENT

Baltimore County  
Zoning Office  
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer  
Zoning Supervisor  
November 1, 1991  
FROM: James H. Thompson - LJM  
Zoning Enforcement Coordinator  
RE: Item No. 213  
Petitioner: RODGER BROWN

VIOLATION CASE # C-91-1056 CV-92-10  
LOCATION OF VIOLATION 2800 SHEPPARD ROAD  
DEPENDANT  
ADDRESS

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME  
BARBARA AK PORTER  
410 HOLLEN ROAD 21212  
(see attached list of concerned citizens)

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

November 8, 1991  
Mr. Leonard Wasilewski  
Dear Mr. Wasilewski:

At your request I am supplying you a copy of the listing of the names and addresses of those persons that have filed a complaint with the Consumer Protection Division against Mr. Roger Brown. This listing may not be complete, as it is my understanding that more complaints have been filed. If it should be necessary to obtain the additional names I'm sure you will be able to obtain them.

If there is anything else that I can help you with please give me a call.

Yours truly,  
Joseph T. Layne  
Joseph T. Layne  
2119 Reuter Road  
Timonium, Maryland 21093  
561-5258

RECEIVED  
NOV 13 1991  
ZONING OFFICE

Baltimore County Zoning  
111 West Chesapeake Ave.  
Towson, Md. 21204  
Attn: Mrs. Charlotte Radcliffe  
Roger Brown  
2800 Sheppard Rd.  
Monkton, Md. 21111  
(301) 771-4085  
1-15-92

Dear Mrs. Radcliffe,

Please enter an appeal in the case # 92-202-SPHA for the Zoning Variance portion of the case allowing only one motor home on the property. Section 415.A is the Zoning Section. The commissioners name was Tim Kotroco.

Enclosed please find a check for \$150.00 for the appeal fee.

Thank You,  
Roger Brown

Rec'd 11/16/92  
JES 11:44

Exhibit in Case 92-202-SPHA

ZONING COMMISSIONER \* IN THE  
COURT  
vs. Rodger Brown  
2800 Sheppard Rd.  
Monkton, Md 21111  
Case No. 1045-91 SPH  
File No. 92-10

## SUMMARY OF CASE

This case proceeded to trial on the 6th day of November 1991, before Judge Russell. Representing Baltimore County was Assistant County Attorney Lee Thompson. The disposition of this case was as follows:

None Pros ☒ Trial ☒ Other

Remarks: Defendant was found not guilty of charge #1, question of a Service Garage & charge #4 storage of an unlicensed motor vehicle.  
Defendant was found guilty of charge #2, operating a Rental Business on RCE property.  
Charge #3 improper storage of RVs and charge #5 of an unlicensed MV.  
Defendant was fined 1000.00 with 400.00 suspended.  
Defendant was given 14 days remove T.V.  
Defendant may not operate RV Business at 2800 Sheppard Rd.  
Defendant may not store more than 1 RV on the property.  
Report a Variance.  
Maximum 500.00 suspended.  
Maximum 200.00 suspended.

## RESOLUTION OF THE ZONING COMMITTEE OF THE MANOR AREA ASSOCIATION

The following resolution was adopted by the Zoning Committee of the Manor Area Association pursuant to its bylaws at a meeting held March 10, 1992 and affirmed at subsequent meetings:

Resolved that The Manor Area Association objects to the request of Roger B. Brown, 2800 Sheppard Road, Monkton, Maryland, for a variance or special permission to permit any recreational vehicles in excess of one to be stored on his property, and any requests that his commercial use of the property for the purposes of renting, leasing or selling recreational vehicles not be permitted as a home occupation, and be it further

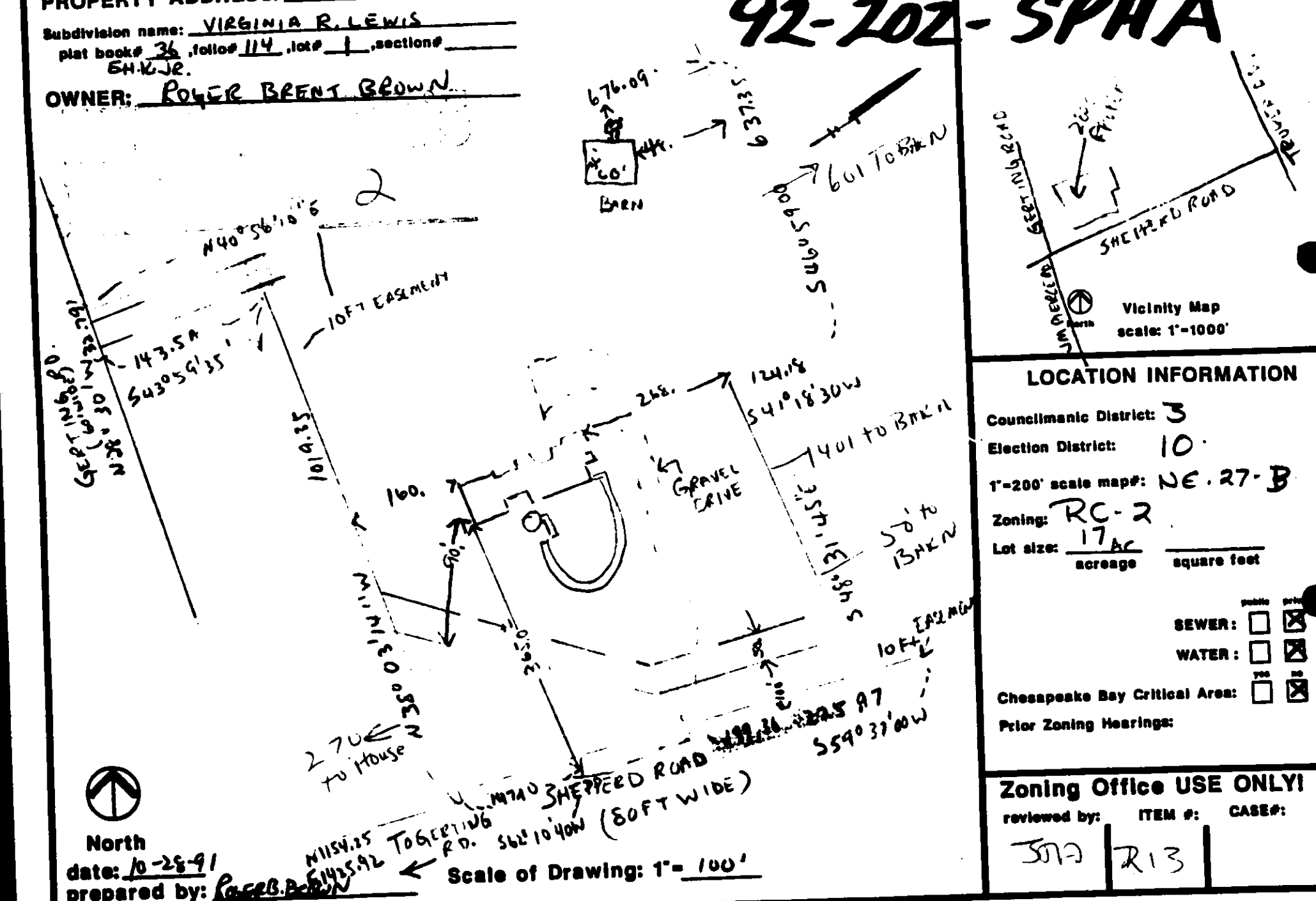
Resolved that Ralph Rigger, co-chairman of the Zoning Committee be authorized to appear before the Board of Appeals in Baltimore County on behalf of The Manor Area Association and to state the Association's position as set forth above.

James W. Constable  
James W. Constable, President  
Manor Area Association

Ralph Rigger  
Ralph Rigger, Co-Chairman  
Zoning Committee

/jwc/Resolution Zone  
June 24, 1992

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing  
PROPERTY ADDRESS: 2800 SHEPPARD RD.  
Subdivision name: VICTORIA R. LEWIS  
plat book 26, folio 114, lot 1, section 1  
OWNER: ROGER BRENT BROWN



## LOCATION INFORMATION

Councilmanic District: 3  
Election District: 10  
1"-200' scale map: W.E. 27-B  
Zoning: RC-2  
Lot size: 17.6 acres  
square feet

SEWER: ☐  
WATER: ☒  
Chesapeake Bay Critical Area: ☐  
Prior Zoning Hearings:

Zoning Office USE ONLY!  
reviewed by: ITM CASE#



20 Nov. 1991, 12:12 PM  
Rm 106, CoB  
BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

DATE: November 20, 1991

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Brown Property, Item No. 213 - # 92-202-SPHA

In reference to the petitioner's request, staff offers the following comments:

The storage of recreational vehicles at this property dates back to 1987 when the applicant was cited with a zoning violation (see case No. 88-173). At that time the matter could not be adjudicated because Mr. Brown was unable to attend the trial.

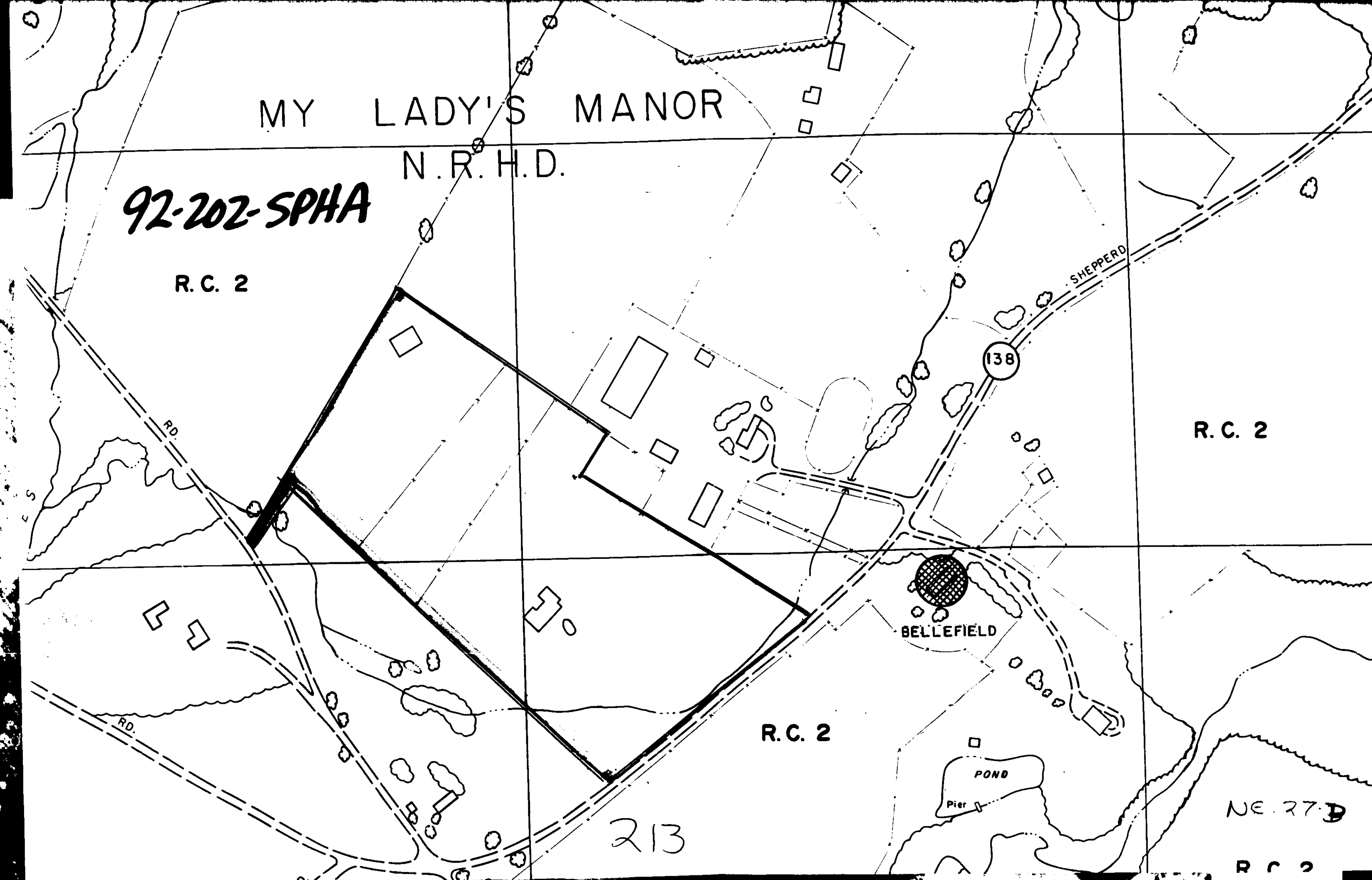
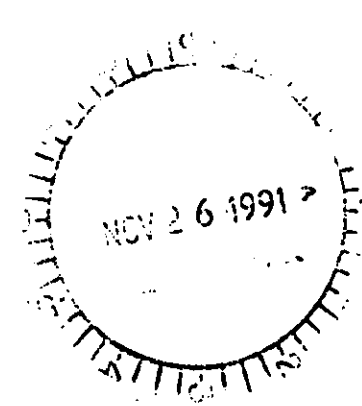
A review of the proposal reveals the applicant's site is located within a R.C.2 zone. The R.C.2 zoning classification was created "to foster conditions favorable to a continued agricultural use of the productive agricultural areas of Baltimore County by preventing the incompatible forms and degrees of urban uses," according to the Baltimore County Zoning Regulations (BCZR). Upon a review of the information provided by the applicant and analysis conducted, staff concludes that an ongoing recreational vehicle rental service has been operating at the subject site for sometime, and this use is in direct conflict with the spirit and intent of the B.C.2.R. No benefit to agriculture would be realized by the continuation of this use. Therefore, the Office of Planning and Zoning recommends the applicant's request to allow 5 recreational vehicles be denied.

No comment is offered regarding the location of the pool.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn

ITEM213/TXTROZ



92-202-SPHA  
BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±  
DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
SOUTHWEST OF  
SHEPHERD

SHEET  
N E  
27-B